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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MONTANA**

In Re:

SCHNEIDER, JOHN HENRY

Case No. 14-61357-7

Debtor(s)

APPLICATION TO APPROVE EMPLOYMENT OF PROFESSIONAL & AFFIDAVIT

The application of Trustee, **Joseph V. Womack**, respectfully represents:

1. On December 4, 2014, Debtor filed a petition under Chapter 7 of the Bankruptcy Code.
2. Trustee wishes to employ BK Assets.com, LLC, as an online auctioneer (“Professional”).
3. Trustee has selected Professional for the following reasons:
 - i. Property of the estate includes a Harley-Davidson motorcycle held by debtor in another state;
 - ii. Professional has the means and ability to take possession of the Harley and to liquidate it via online auction.
4. The professional services that Professional is to render include: taking possession of the Harley, obtaining a key, evaluating condition, making necessary improvement for sale,

and liquidating the vehicle via online auction, including advertising and closing of the sale.

5. To the best of Applicant's knowledge, Professional has no undisclosed connection with the creditors, or any other party in interest, or their respective attorneys and accountants, the United States Trustee, or any person employed in the office of the United States Trustee, and is a "disinterested person", as defined in **11 U.S.C. §101(14)**. Applicant is unaware of any such relationships affecting this case.

6. The terms of employment of Professional agreed to by the Trustee, subject to the approval of the Court are:

i. Fees: 10% of gross sale proceeds. This compensation includes all advertising costs. Professional will seek compensation by presenting the Court with an accounting of the sale proceeds.

ii. Costs: Professional will ask for compensation for necessary costs incurred, including: transportation of items from location to auction site; detailing if necessary; minor service items auctioneer deems necessary, such as batteries, gas, etc.; storage; title work and other paperwork; etc. Costs will not exceed \$700.00. Of that \$700.00, \$275.00 will be reimbursed to the estate by the buyer for the internet listing fees and transfer document postage.

iii. Retainer: A retainer of \$ 0.00 has been paid to said professional.

7. Professional represents no interest adverse to Trustee or the estate in the matters upon which Professional is to be engaged, and Professional's employment would be in the best interest of this estate.

WHEREFORE, Trustee prays that the Court approve Professional's employment under the terms specified herein.

DATED this 14th day of March, 2018.

WALLER & WOMACK, P.C.

By: /s/ Joseph V. Womack
Joseph V. Womack
Ch. 7 Bankruptcy Trustee

AFFIDAVIT

STATE OF ARIZONA)
 : ss.
County of Maricopa)

I, **David A. Birdsell**, Managing Member of BKAssets.com, LLC, hereby declare as follows:

1. I am the Managing Member of BKAssets.com, LLC an Internet auction company.
2. Our office location is at 216 N. Center St. Mesa, AZ 85201.
3. Except as noted herein, myself or the firm BKAssets.com, LLC has no connection with the debtor, creditors, case trustee, or any other parties in interest, their respective attorneys and accountants, the United States Trustee, and persons employed in the Office of the United States Trustee. Mr. Birdsell does serve on the Panel of Chapter 7 trustees in the District of Arizona.
4. Myself or the firm BKAssets, LLC, neither holds nor represents any interests adverse to the debtor or its estate in the matters upon which it is engaged.
5. I have reviewed the Application for Appointment of Internet Auctioneer as prepared by the Trustee, in the above-referenced bankruptcy case, dated 3/13/2018 and agree with the representations made therein.

I, **David A. Birdsell**, Managing Member of BKAssets.com, LLC, declare under penalty of perjury that the foregoing is true and correct.

DATED this 14th day of March, 2018, in Mesa, Maricopa County, Arizona.

BKAssets.com, LLC

By: /s/ David A. Birdsell
David A. Birdsell